HIGH COURT OF UTTARANCHAL AT NAINITAL

(Court's order whether the case is or not approved for reporting)

(Chapter VIII Rule 32 (2)(b)

Description of the case.

W.P. No. 634 of 2002

Chiddu Singh S/o Late Sri Jhabban Singh

Versus

State of Uttaranchal
and others.

Approved for reporting.

_____

~~Not approved for reporting~~

Date of decision. 10.12.2003

Initial of Judge

IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL

Writ Petition No. 634 of 2002 (S/B)

Chiddu Singh S/o Late Sri Jhabban Singh
District Basis Shiksha Adhikari
Hardwar
District hardwar **…Petitioner/Applicant**

Vs.

State of Uttaranchal through Secretary
Human Resource Development Department
Dehradun, District Dehradun and others **… Respondents**

Dated:- 10-12-2003

Hon'ble Rajesh Tandon, J.

Heard Sri J.P. Joshi learned counsel for the petitioner and Sri Maulkhi learned counsel for the respondents.

By the present writ petition the petitioner has prayed for quashing the transfer order dated 06.06.2002.

The relief prayed for in the writ petition, has already become infructuous. According to the petitioner he has obtained the stay order on 18.06.2002 and thereafter the post on which the petitioner was transferred was filled up by another employee.

Now the counsel for the petitioner has filed an application that he may be posted anywhere and his salary may also be paid in the changed circumstances.

It is really surprising that neither the posting has been made nor any salary has been paid. Allotment of work to an employee is a part of allocation of work, which is an elementary part of service conditions. Right to work being part of Article 21 of the Constitution of India, respondents are directed to take hurried steps in these matters.

In view of the facts and circumstances, the petitioner may file a fresh representation before the respondent no. 1 who shall pass the appropriate orders regarding the joining as well as the payment of salary which may be available to him.

In view of the facts and circumstance stated above respondent no. 1 is directed to pass the orders within two weeks of the filing of certified copy of the order.

Subject to the aforesaid observations writ petition is dismissed.

10.12.2003 **(Rajesh Tandon, J.)**
Mohit